

2. The system contains several gaming displays or terminals built into a casino table and aligned upward to facilitate easy viewing by the other players (SINES: col. 10, lines 45-48). The system is designed to allow casinos to speed play and reduce the risk of cheating (SINES: abstract). The casino confirms a player's outcome through the use of cameras positioned above or near the table (SINES: col. 17, lines 24-25). The player's hand is recorded into a data structure (SINES: col. 33, line 51), as well as a player position (SINES: col. 39, lines 49-50), initial seed value, the current house rules (SINES: col. 41, line 39) and the game history (SINES: col. 42, line 6). Therefore through the use of the system's electronic equipment like the player tracking devices and terminals, one of ordinary skill would combine this system with the disclosed invention of BABA to help facilitate an audience watched, fast paced poker tournament amongst several gaming tables filled with several players at a casino or against several casinos.

AS TO INDEPENDENT CLAIM 1, APPLICANT DOES NOT FIND ANY FACTUAL REJECTION IN EXAMINER'S PARAGRAPHS 1 AND 2. IT IS APPLICANT'S CONTENTION THAT SUCH ABSENCE OF A FACTUAL REJECTION OF INDEPENDENT CLAIM 1 NEGATES ALL FURTHER REJECTIONS OF DEPENDENT CLAIMS 2, 4, 6, 8, 14-45 AND 3,5, 7, 9-13 and 46-64.

EXAMINER FURTHER STATES AS FOLLOWS:

3. Regarding CLAIMS 2, 4, 6 and 8, the art disclosed by BABA matches one person-one team or one team per one gaming device to another team (BABA: col. 1. lines 61-64) for a match of a tournament (BABA: col. 10, lines 2-3). Therefore the combination of BABA with SINES creates a system that would assign each player to a poker table. Furthermore, a player's assignment history to poker tables is tracked in the team's match result file (BABA: col. 6, lines 21-29) as match result data.

4. Regarding CLAIM 14, BABA discloses using a OS server or a central processing unit for storing all of the game data and a BE server or secondary central processing unit in communication with the DS server (BABA: col. 6, lines 29-32).

5. Regarding CLAIMS 15-19 and 27-28, the gaming terminals or main/dealer console each contain a display (SINES: fig. 2, 103) and a means for clearing the screen (SINES: col. 19, lines 32-33). Furthermore the console is able to print information on to a screen or memory.

6. Regarding CLAIMS 20-21, the system disclosed by SINES contains a card reader that is used to retrieve a player's information through swiping means (SINES: col. 15, lines 39-44).

7. Regarding CLAIMS 22-23, the game table disclosed by SINES contains a dealer console comprising a display (SINES: fig. 4, 102) and a simulated dealing shoe (SINES: fig. 2, 80).

8. Regarding CLAIMS 24-26 and 29, the dealer console is able to display selective information like various menu and programming options (SINES: col. 13, lines 26-27) that is accessible by authorized personnel only (SINES: col. 13, lines 5-8). However SINES fails to mention the game table having access to a central processing unit or a game server. The art combination of BABA and SINES creates a system that connects all of the game tables to a network. Therefore one of ordinary skill would use the network to program all the tables simultaneously saving time and preventing any possible unauthorized person from accessing the computer at the game table.

9. Regarding CLAIM 30-33, SINES informs a person of ordinary skill that any additional information deemed necessary by the casino can also be displayed on the dealer display (SINES: col. 16, lines 62-63). Therefore displaying a dealer's log-in/out time, information, assigned table and betting order is trivial limitation that carries no patentable weight. Furthermore any information that is collected by the system can be displayed later if found necessary. When a player bets a chip the chip detection sensor will communicate with the chip's transponder (SINES: col. 11, lines 50-53). The inventor mentions fitting the system to provide other needs like detecting and preventing the use of counterfeit chips, as well as other data processing capabilities (SINES: col. 11, lines 62-67) like the recording of a betting order.

10. Regarding CLAIM 34, the gaming terminals disclosed by SINES is viewed as the equivalent to the claimed main console and player console. Therefore the player terminals disclosed by SINES meet the limitations since there are several terminals to a table that can each display or print information to a screen (SINES: col. 10, lines 45-48). Furthermore, the examiner would like to point out that a terminal is expected at the gaming server side of the network system (BABA: fig. 1, 30) to fulfill the purpose of performing maintenance, coding or evaluation of the stored data by an administrator. In other words, the examiner feels the applicant could of tried to CLAIM this expected feature with a "main console" but failed to do so because of the misuse of broad CLAIM language. Finally, correcting any of these CLAIMS to more specifically describe a maintenance terminal will not be considered patentable.

11. Regarding CLAIMS 35-41, the gaming terminals or main console each contain a display (SINES: fig. 2, 103) and a means for clearing the screen (SINES: col. 19, lines 32-33). Furthermore the console is able to print information on to a screen or memory.

12. Regarding CLAIM 42, since each player terminal is viewable from each seat (SINES: col. 10, lines 45-48) a player will always know the betting order of the game by looking at each player's chip detection zone (SINES: fig. 14, 120).

13. Regarding CLAIMS 43-44, the Examiner would like to point out that the language implies but does not claim that the player/dealer console is a bettor's phone, PDA or any electronic device owned by the person that can run third party software. Therefore the language is viewed as a general item owned by the player that is removable from the table. Since having eleven removable computers per table totaling 99 computers (emphasis added) is costly endeavor for any establishment and a good engineer or one of ordinary skill would design a system that utilized a person's personal electronics or a memory card as a cheap and effective solution. BABA has created a system that uses flash memory cards to save data and carry out a 'simple game' when provided a computer and display (BABA: col. 7, lines 10-19).

14. Regarding CLAIM 45, all computers are removable from its support structure. In other words anyone can unplug and lift a computer from a table.

APPLICANT'S APPLICATION WAS FILED ON MARCH 26 2004 AND WAS PUBLISHED ON SEPTEMBER 29 2005. SINES PATENT #7,255,642 WAS ISSUED ON AUGUST 14 2007; WAS PUBLISHED ON DECEMBER 16 2004; AND WAS FILED ON NOVEMBER 25 2003.

SECTION 35 USC 103 STATES IN PART AS FOLLOWS:

35 U.S.C. 103 Conditions for patentability; non-obvious subject matter.

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

IN VIEW OF THE ABOVE, IT IS APPLICANT'S CONTENTION THAT THE SINES PATENT AND THE SINES PUBLISHED APPLICATION (IN COMBINATION WITH BABA) MAY NOT BE USED AS A PRIOR ART REFERENCE AGAINST APPLICANT'S DEPENDENT CLAIMS 2, 4, 6, 8, 14-45 UNDER 35 USC 103 IN VIEW OF APPLICANT'S FILING DATE OF MARCH 26 2004 AND SINES' PUBLICATION DATE OF DECEMBER 16 2004. IN ANY CASE, APPLICANT ANNEXES HERETO HIS AFFIDAVIT OF PRIOR INVENTION TO OVERCOME THE SINES' FILING DATE OF NOVEMBER 23 2003. ACCORDINGLY APPLICANT VERY RESPECTFULLY MAKES EXCEPTION TO EXAMINER'S REJECTION OF DEPENDENT CLAIMS 2, 4, 6, 8, 14-45 AS STATED IN HIS PARAGRAPHS 3 THROUGH 14.

EXAMINER FURTHER STATES AS FOLLOWS:

CLAIMS 3,5, 7, 9-13 and 46-64 are rejected under 35 U.S.C. 103(a) as being un-patentable over BABA in view of SINES and in further view of NAKAGAWA (US 5,603,502).

15. The above description of the BABA and SINES reference combination and the limitations they pertain is considered within this art rejection as well. The nature of a tournament would require the rearranging of players (success or not) to compete with other player that he/she had not played in the previous tournament level. Therefore it is obvious for a poker tournament system to move players from one to table to another. However, the examiner will present a reference against this and other obvious limitations about the moving of players and trying to keep a certain number of players at each table.

16. Regarding CLAIMS 3,5,7,49,52,55 and 58, NAKAGAWA developed a poker tournament method that divides a group of players into smaller groups (NAKAGAWA: fig. 1) for several simultaneous play of poker games at different poker tables (NAKAGAWA: abstract). The movement of players (NAKAGAWA: col. 6, line 1) becomes necessary as the number of players at each table diminishes due to the drop out (NAKAGAWA: col. 5, lines 65-67) in order to keep the number of players at each table a certain number and uniform (NAKAGAWA: col. 6, lines 2-3).

17. Regarding CLAIMS 9-12, NAKAGAWA discloses a tournament schedule of each current tournament level (NAKAGAWA: fig. 1). This method requires players to place a "blind bet" (NAKAGAWA: col. 5, lines 44-46) or ante before receiving any cards. Furthermore, the method would also institute a time period for betting and payoffs to prevent a game from dragging on since the goal of the method is to speed up a game of poker to make it more exciting (NAKAGAWA: col. 7, lines 12-13).

18. Regarding CLAIMS 13, 46 and 62-63, the art combination would keep track of the latest eliminated player and re-assigned player position of every player since all of the tournament data and results are recorded (BABA: col. 6, lines 10-20).

19. Regarding CLAIMS 47-48,50-51,53-54,56-57 and 59-60, the limitation of choosing a poker table in a particular order solves no stated problem therefore is viewed as mere design choice.

20. Regarding CLAIM 61, BABA matches one person-one team or one team per one gaming device to another team (BABA: col. 1. lines 61-64) for a match of a tournament (BABA: col. 10, lines 2-3). Therefore the combination of BABA with SINES creates a system that would assign each player to a poker table. Furthermore, a player's assignment history to poker tables is tracked in the team's match result file (BABA: col. 6, lines 21-29) as match result data.

21. Regarding CLAIM 64, NAKAGAWA states " ^{one} or two players who are seated to the immediate left of the player dealer will be required to make a blind bet" (NAKAGAWA: col. 5, lines 43-46), therefore the system has blind bet schedule.

AGAIN, APPLICANT'S APPLICATION WAS FILED ON MARCH 26 2004 AND WAS PUBLISHED ON SEPTEMBER 29 2005. SINES PATENT #7,255,642 WAS ISSUED ON AUGUST 14 2007; WAS PUBLISHED ON DECEMBER 16 2004; AND WAS FILED ON NOVEMBER 25 2003.

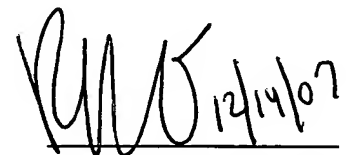
AGAIN SECTION 35 USC 103 STATES IN PART AS FOLLOWS:

35 U.S.C. 103 Conditions for patentability; non-obvious subject matter.

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

IN VIEW OF THE ABOVE, IT IS APPLICANT'S CONTENTION THAT THE SINES PATENT AND THE SINES PUBLISHED APPLICATION (IN COMBINATION WITH BABA AND NAKAGAWA) MAY NOT BE USED AS A PRIOR ART REFERENCE AGAINST DEPENDENT CLAIMS 3,5, 7, 9-13 and 46-64 UNDER 35 USC 103 IN VIEW OF APPLICANT'S FILING DATE OF MARCH 26 2004 AND SINES' PUBLICATION DATE OF DECEMBER 16 2004. IN ANY CASE, APPLICANT ANNEXES HERETO HIS AFFIDAVIT OF PRIOR INVENTION TO OVERCOME THE SINES' FILING DATE OF NOVEMBER 23 2003. ACCORDINGLY APPLICANT VERY RESPECTFULLY MAKES EXCEPTION TO EXAMINER'S REJECTION OF CLAIMS 3,5, 7, 9-13 and 46-64 AS STATED IN HIS PARAGRAPHS 15 THROUGH 21.

APPLICANT VERY RESPECTFULLY AWAITS EXAMINER'S RESPONSE.

A handwritten signature in black ink, appearing to read 'RMO', followed by the date '12/14/07' written vertically to the right of the signature.

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